

REMARKS

The Office Action of January 24, 2005 has been carefully considered. Applicants wish to thank the Examiner for the effort in evaluating this application.

Claims 1 through 10 are pending in this application; and Claims 1 through 10 have been rejected under 35 U.S.C. § 112, second paragraph.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 1 through 10 have been rejected under 35 U.S.C. § 112, second paragraph. The use of the term "prodrugs" in these claims has been asserted to be indefinite. As kindly suggested by the Examiner, these claims have now been amended to replace all occurrences of "prodrugs" with "prodrug esters". It is believed that this overcomes the rejection and these claims are now allowable as a result of the amendments.

Claim 10 had an asserted additional indefinite aspect with respect to 35 U.S.C. § 112, second paragraph, with the use of the "diseases capable of being modulated by inhibition of JNK activity" language. Claim 10 has now been amended in accordance with the kind suggestion of the Examiner. It is believed that this overcomes the rejection.

Rejections under 35 U.S.C. § 112, first paragraph

Claims 1 through 10 have been rejected under 35 U.S.C. § 112, first paragraph. The first of two rejections under this paragraph is of the recitation of "prodrugs" in these claims. As pointed out in the present Office Action on page 7, at lines 1 and 2, the specification specifically provides support for carboxylate esters. Accordingly, these claims have now been amended to replace recitations of "prodrugs" with "prodrug esters". This is believed to overcome this rejection.

An additional rejection under 35 U.S.C. § 112, first paragraph, is for the recitation of "solvates" in the claims. As pointed out, beginning in the last paragraph of page 8 of the present Office Action, the preparation of solvates such as hydrates of the presently claimed compounds would have been known to a person of ordinary skill. Accordingly, these claims

have now been amended to replace "solvates" with "hydrates". This is believed to overcome the rejection.

Furthermore, Claim 10 has been rejected under 35 U.S.C. §112, first paragraph, as not being enabled for all intended diseases. It has been asserted in the Office Action that inhibition of JNK would exacerbate at least one disease. Accordingly, the very kind suggestion of the Examiner in a telephone conversation has been adopted, and Claim 10 has now been amended to recite "inhibiting JNK activity in a patient". This is believed to overcome the present rejection.

Title, Abstract and Specification

The title and abstract have been objected to. The present amendment corrects them in accordance with the kind suggestions of the Examiner. It is believed that they are now acceptable.

The specification has been objected to, as not containing a "Brief Description of the Drawings". This has been corrected by the present amendment described at the beginning of this response.

The undersigned practitioner believes that no new matter is introduced by the present amendments.

Conclusion:

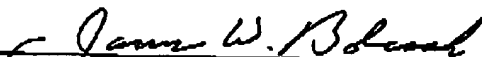
In view of the foregoing discussion, it is believed that all the pending claims, as amended, fully comply with the legal requirements for allowance. Reconsideration and allowance of the application with pending claims are earnestly solicited.

If prosecution of this application can be expedited by a telephone conversation, the Examiner is invited to call the undersigned practitioner (collect if necessary) to discuss the application.

Enclosed herewith is a Petition under 37 C.F.R. § 1.136(a) to extend the time for response for two months, or until June 24, 2005. It is believed that no additional fees and charges are required at this time in connection with the application; however, if any fees or

charges are required at this time, they may be charged to our Patent and Trademark Office
Deposit Account No.18-1982.

Respectfully submitted,


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